



April 12, 2021

Shell Oil Company
Legal Services
150 N. Dairy Ashford, WCK E0344
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Mr. Lance Nixon
Enforcement Officer
U.S. Environmental Protection Agency, Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270
Via email: nixon.lance@epa.gov

Re: EPA's January 22, 2021 Section 104(e) Request for Information and Documents
to Shell Offshore Inc. (f/k/a Billiton Trading Co. and Thailand Smelting)
for Fansteel Metals Facility, 10 Tantalum Place, Muskogee, Oklahoma 74401

Dear Mr. Nixon:

The following are objections and responses ("Response" or "Responses") of Shell Offshore Inc. and its affiliated entities ("Shell," "Respondent," or "Respondents") to the U.S. Environmental Protection Agency ("EPA") Request for Information and Documents regarding the Fansteel Metals Facility, 10 Tantalum Place, Muskogee, Oklahoma (the "Fansteel Site" or "Facility") dated January 22, 2021 (the "Request") directed to Shell Offshore Inc. (f/k/a Billiton Trading Co. and Thailand Smelting).

The information requested relates to historical activities for which responsive information is not currently available. Given the breadth of the Request, it is possible that responsive documents were destroyed pursuant to Respondent's or its predecessors' Record Retention Program and policies. Since 1998, Respondent has had a Record Retention Program that has been modified numerous times during subsequent years. Upon request and reasonable notice, Respondent will produce all available documents relating to its record retention program and policies. Nevertheless, Shell has undertaken all reasonable efforts to locate available responsive documents and information. Should EPA request specific information within its scope of authority that has not been provided, Shell will make every effort to locate and promptly supplement its response with all such available information.

SHELL'S GENERAL OBJECTIONS

1. Shell objects to the Request to the extent it seeks information or documents in the possession of the United States or another governmental agency or that is otherwise public information equally available to the EPA.
2. Shell objects to the questions below that inquire about "materials" as unreasonable, overly broad, beyond the scope of EPA's authority, and unduly burdensome.
3. Shell objects to Definition No. 10, "Respondent" as overly broad, burdensome, and not authorized by CERCLA Section 104(e) to the extent it includes Respondent's agents, employees, and contractors.

Subject to and without waiving these objections, Shell responds as follows:

RESPONSES TO INFORMATION REQUEST

1. *Please provide the full legal name, mailing address, and phone number of the Respondent.*

Shell Offshore Inc.
150 N. Dairy Ashford
Houston, Texas 77079
832-337-2000

2. *For each person answering these questions on behalf of the Respondent provide full name, title, business address, and business telephone and fax number.*

Respondent objects to providing full business addresses, telephone numbers and fax numbers of current employees or contractors, who should be contacted through counsel. For these persons, only their names, titles, and employment locations are provided.

Name: Jeffrey McMenis
Title: Environmental Manager, Shell Exploration & Production Company
Location: New Orleans, Louisiana

Name: Warren Moity
Title: Sr. Environmental Engineer, Shell Exploration & Production Company
Location: New Orleans, Louisiana

Name: Gustav Hinds
Title: IM Business Analyst, Shell Information Technology International
Location: Houston, Texas

Name: Paige Todd

Title: Legacy Commercial Lead, Shell Exploration & Production Company

Location: Houston, Texas

Name: Linda Meagher

Title: Corporate Specialist

Location: Houston, Texas

Name: Phyllis Phelps

Title: Paralegal, Global Safety & Environment

Location: Houston, Texas

3. *If the Respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, telephone number, email address and fax number.*

Aselda Thompson

Legal Counsel, Global Safety & Environment

Shell Oil Company

150 N. Dairy Ashford

Houston, Texas 77079

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832-337-4947

4. *Please explain the business relationship between Respondent and Fansteel Metals.*

Respondent objects to this question to the extent it is undefined, vague, ambiguous, calling for a legal conclusion, and beyond the authority of the EPA to request information pursuant to CERCLA Section 104(e). Subject to and without waiving its objections, Respondent cannot establish in its records that it had a business relationship with Fansteel Metals.

Shell has made a diligent search and reasonable inquiry of the documents for the entities listed below and found no records that reference Fansteel Metals or that establish any relationship or interaction between these entities and Fansteel Metals:

Shell Offshore Inc.

Shell Deepwater Production Inc.

Shell Minerals Production Co.

Montanore, Inc.

Billiton Metals and Ores USA, Inc.

Billiton Metals Inc.

Billiton Trading Company

Thailand Smelting

THAISARCO

5. *Identify all transactions with the Site owners and/or operators that resulted in materials being sent to the Site by the respondent for any purpose. Identify and provide all documents related to each transaction, including but not limited to, tolling agreements, invoices, manifests, shipping papers, bills of lading, receipts, log book entries, trip tickets, work orders, contracts, documents showing the nature of the materials involved, and any EPA and/or State environmental filings or correspondence. For each transaction, identify and state:*

- a. The type and purpose of the transaction;*

Respondent has not identified any specific documents responsive to this request.

- b. A description of the materials involved, including their quantity and chemical content and characteristics;*

Respondent has not identified any specific documents responsive to this request.

- c. A description of the steps taken by Respondent to determine whether the materials contained hazardous substances at the time of the transaction, and explain what precautions Respondent took to ensure that any hazardous substances were transported or disposed of properly;*

Respondent has not identified any specific documents responsive to this request.

- d. Any amounts paid by or to Respondent in connection with each transaction;*

Respondent has not identified any specific documents responsive to this request.

- e. The date of each transaction;*

Respondent has not identified any specific documents responsive to this request.

- f. The date the materials were transported to the Site and/or when any materials or product were received by Respondent from the Site;*

Respondent has not identified any specific documents responsive to this request.

- g. The name(s) and address(es) of any entities providing transportation services for such materials;*

Respondent has not identified any specific documents responsive to this request.

- h. The name(s) and address(es) of any plants or facilities from which Respondent sent material to the Site, including a brief description of the nature of Respondent's operations at such plant or facility; and*

Respondent has not identified any specific documents responsive to this request.

- i. If ownership of material changed at any point as a result of the transaction.*

Respondent has not identified any specific documents responsive to this request.

6. *Please respond to the following questions regarding operations at the Site that were observed by Respondent during your business relationship with the Site and identify and provide any documents that relate to the following:*

a. *What activities were typically conducted at the Site? What were the common business practices at the Site? How and when did Respondent obtain this information?*

Respondent has not identified any specific documents responsive to this request.

b. *Did Respondent ever travel to the Site? If so, how many times and when did Respondent travel to the Site? Provide the details of each visit, including how long Respondent stayed, who Respondent met with, and the nature of the visit.*

Respondent has not identified any specific documents responsive to this request.

c. *Did Respondent know that hazardous substances were disposed of at the Site? If not, why not?*

Respondent has not identified any specific documents responsive to this request.

d. *Did Respondent have any influence over waste disposal activities at the Site? If so, how?*

Respondent has not identified any specific documents responsive to this request.

e. *Did Respondent know if the owner(s)/operator(s) of the Site were removing a hazardous substance from the transferred material?*

Respondent has not identified any specific documents responsive to this request.

f. *Did Respondent know, based on general industry knowledge, if hazardous substances would need to be removed from the transferred material in order for the material to be useful?*

Respondent has not identified any specific documents responsive to this request.

g. *At the time Respondent transferred materials to the Site, were there any discussions and/or planning regarding the hazardous substances in the transferred materials? If yes, please detail those discussions and/or plans. What did Respondent intend to happen to any hazardous substances in those materials? Provide any agreements and documents, including waste logs, journals or notes reflecting the intentions of the parties. If Respondent does not have such documents or materials, please so state.*

Respondent has not identified any specific documents responsive to this request.

h. *Specify any measures Respondent took to determine the actual means of treatment, disposal or other uses of hazardous substances at the Site. What assurances, if any, were Respondent given by the owner(s)/operator(s) of the Site regarding handling and ultimate disposition of hazardous substances that came to be at the Site as a result of Respondent sending material to the Site?*

Respondent has not identified any specific documents responsive to this request.

SOI to EPA re. Fansteel 104(e)

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If you have any questions or concerns regarding this Response, please contact the undersigned at the address/phone number indicated on the first page of this Response or by email.

Sincerely,

A handwritten signature in black ink, appearing to be 'Aselda Thompson', with a long horizontal flourish extending to the right.

Aselda Thompson
Legal Counsel, Global Safety and Environment

Enclosure

Cc: Elizabeth Pletan, Attorney- Superfund Branch, EPA Region 6, via email

AFFIDAVIT

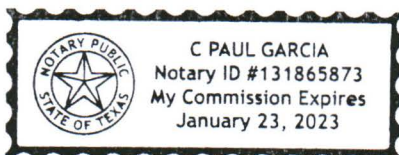
I, Aselda Thompson, a representative of Shell Oil Company, 150 N. Dairy Ashford, Houston, Texas 77079, hereby certify on behalf of Shell Offshore Inc. (together with Shell Oil Company and each company's affiliates, "Shell") that the foregoing responses of Shell to the EPA's CERCLA 104(e) Information Request dated January 22, 2021 were prepared with the assistance of employees of Shell and these responses are based upon information gathered from various sources available within Shell. This search included a search into appropriate records and inquiries to employees who might be familiar with the matter in question. The responses provided are based on and include all information available at the time this response is made. Shell reserves the right to make any changes or additions to the responses if it appears at any time that omissions or errors have been made therein and that more accurate information is available. Subject to the limitations hereinabove set forth, these responses are true and correct to the best of my knowledge, information, and belief.

Executed in Spring, Texas on this 12th day of April, 2021.



Aselda Thompson, Legal Counsel
Shell Oil Company

SWORN AND SUBSCRIBED before me this undersigned Notary Public on this 12th day of April, 2021.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS